

ODISHA COOPERATIVE AUDIT SERVICE RULES, 2022

CO-OPERATION DEPARTMENT

GOVERNMENT OF ODISHA

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.2809, CUTTACK, TUESDAY, DECEMBER 12, 2023/MARGASIRA 21, 1945

CO-OPERATION DEPARTMENT

NOTIFICATION

The 30th September, 2022

No.9095—COOP-FE1-ESTT-0007/2020 — In exercise of the powers conferred by the proviso to Article 309 of the constitution of India in supersession of the Odisha Cooperative Service Rule, 1974 and the regulations , instructions or orders except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby make the following rules to regulate the method of recruitment and conditions of service of persons appointed to the Odisha Co-operative Audit Service (OCAS) , namely :—

PART-I

GENERAL

1. Short title and commencement. — (1) These rules may be called the Odisha Co-operative Audit Service (Method of Recruitment and Conditions of Service) Rules, 2022.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions. — (1) In these rules unless the context otherwise requires, —

- (a) “**Board**” means Selection Board constituted under rule 7;
- (b) “**Commission**” means the Odisha Public Service Commission;
- (c) “**Department**” means the Co-operation Department;
- (d) “**Ex-Service man**” means a person as defined as such in clause(b) of rule 2 of the Odisha Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;

- (e) **“Government”** means the Government of Odisha;
- (f) **“Persons with disabilities”** means persons who have been granted with disability certificates by the competent authority as per the provisions of the Rights of persons with Disability Act, 2016;
- (g) **“Probation”** means a member of the service appointed on probation;
- (h) **“Scheduled Castes and Scheduled Tribes”** shall have reference to the scheduled Castes and Scheduled tribes specified in the Constitution (Scheduled Caste) Order, 1950 and the Constitution (Scheduled tribe) Order, 1950, as the case may be made under Article 341 and 342 of the Constitution of India respectively;
- (i) **“SEBC”** means the Socially and Educationally Backward Classes defined as Backward Classes and referred to in clause(a) of Section 2 of the Odisha State Commission for Backward Classes Act, 1993;
- (j) **“Select List”** means the list finally approved by the Government containing the names of officer considered suitable for promotion in consultation with the Commission;
- (k) **“Service”** means Odisha Co-operative Audit Service;
- (l) **“Sportsperson”** means a person who would be issued with identity card as sportsperson by the Director, Sports as per Resolution No.24808/Gen., dated the 18th November,1985 of General Administration Department; and
- (m) **“Year”** means the Calendar Year.

(2) All other words and expressions used but not specifically defined in these rules shall, unless the context otherwise requires, have the same meaning, as respectively, assigned to them in the Odisha Service Code.

3. Constitution of the Service.— The Service shall consist of the following posts, namely:—

- (a) Additional Auditor General of Co-operative Societies, **Group A- Superior Administrative Grade**;
- (b) Joint Auditor General of Co-operative Societies, **Group A- Super Timescale of pay**;
- (c) Deputy Auditor General of Co-operative Societies, **Group A-Senior Branch**;
- (d) Assistant Auditor General of Co-operative Societies, Level-I, **Group A-Junior Branch**; and
- (e) Assistant Auditor General of Co-operative Societies, Level-II, **Group B**.

PART-II

METHODS OF RECRUITMENT

4. Methods of recruitment. — Subject to the provisions of these rules, recruitment to different posts of the Service shall be made by the following methods, namely: —

(a) Not less than fifty percent of the posts of Assistant Auditor General of Co-operative Societies Level-II, shall be filled by direct recruitment through Combined Competitive Recruitment Examination conducted by the Commission in accordance with the Orissa Civil Services (Combined Competitive Recruitment Examination) Rules, 1991 and not more than fifty per cent of such posts shall be filled up by promotion from among Sub-Assistant Auditor General of Co-operative Societies :

Provided that if the calculation gives a fractional figure, the fraction shall be discarded and the excess whole number thus arrived shall go to the direct recruitment quota:

Provided further that if adequate number of candidates are not available for appointment by way of promotion, the same shall be filled up by the promotional candidate in the succeeding year.

(b) Appointment to the posts of Assistant Auditor General of Co-operative Societies, Level-I, Group A; (Junior Branch), Deputy Auditor General of Co-operative Societies, Group A; (Senior Branch), Joint Auditor General of Co-operative Societies, Group A; (Super Timescale of Pay), Additional Auditor General of Co-operative Societies, Group A; (Superior Administrative Grade) shall be filled up of by way of promotion from among Assistant Auditor General of Cooperative Societies, Level-II, Group-B, Assistant Auditor General of Co-operative Societies, Level-I, Group A; (Junior Branch), Deputy Auditor General of Co-operative Societies, Group A; (Senior Branch), Joint Auditor General of Co-operative Societies, Group A; (Super Timescale of Pay) respectively in accordance with these rules.

5. Reservations. — Notwithstanding anything contained in these rules, reservation of vacancies as the case may be, for, —

(a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder; and

(b) SEBC, Women, Sportspersons, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Acts, Rules, orders or instructions issued in this behalf by the Government from time to time.

PART-III

PROMOTION

6. Eligibility Criteria for promotion. —

(1) Any person who has completed five years of continuous regular service in the post of Sub-Assistant Auditor General of Co-operative Societies, Group 'B' as on the 1st day of January of the year in which the Board meets, shall be eligible for consideration for promotion to the post of Assistant Auditor General of Co-operative Societies, Level- II.

(2) Any person who has completed two years of continuous service in the post of Assistant Auditor General of Co-operative Societies, Level-II, as on the 1st day of January of the year in which the Board meets, shall be eligible to be considered for promotion to the post of Assistant Auditor General of Co-operative Societies, Level-I.

(3) Any person who has completed at least one year of continuous service in the post of Assistant Auditor General of Co-operative Societies, Level-I, as on the 1st day of January of the year in which the Board meets, shall be eligible to be considered for promotion to the post of Deputy Auditor General of Co-operative Societies:

Provided that any person who has completed three years of continuous service in the post of Assistant Auditor General of Co-operative Societies, Level-II and Assistant Auditor General of Co-operative Societies, Level-I, as on the 1st day of January of the year Board meets shall also be eligible to be considered to the post of Deputy Auditor General of Co-operative Societies;

(4) Any person who has completed six years of continuous service in the post of Deputy Auditor General of Co-operative Societies, as on the 1st day of January of the year in which the Board meets or nine years of service in the post of Assistant Auditor General of Cooperative Societies, Level-II, Assistant Auditor General of Co-operative Societies, Level-I and Deputy Auditor General of Co-operative Societies, taken together shall be eligible to be considered for promotion to the post of Joint Auditor General of Co-operative Societies.

(5) Any person who has completed five years of continuous service in the post of Joint Auditor General of Co-operative Societies. on the 1st day of January of the year in which the Board meets or fourteen years of service in the post of Assistant Auditor General of Co-operative Societies, Level-II , Assistant Auditor General of Co-operative Societies,

Level-I, Deputy Auditor General of Co-operative Societies and Joint Auditor General of Co-operative Societies taken together on the 1st day of January of the year in which the Board meets shall be eligible to be considered for promotion to the post of Additional Auditor General of Co-operative Societies.

7. Constitution of Selection Board. — (1) There shall be constituted a Board consisting of the following members for consideration of promotion to the rank of Assistant Auditor General of Co-operative Societies, Level-II, Group-B, Assistant Auditor General of Co-operative Societies, Level-I, Group-A(Junior Branch), Deputy Auditor General of Co-operative Societies, Group- A (Senior Branch) and Joint Auditor General of Co-operative Societies, Group-A(Super Timescale of pay), namely: —

- (i) The Secretary to Government ...Chairman;
- (ii)The Auditor General of Co-operative Societies ...Member;
- (iii)Additional or Joint Secretary to Government (In-charge of Field Establishment) ... Member; and
- (iv)Deputy or Under Secretary to Government (In-charge of Field Establishment) ... Convener

(2) There shall be constituted another Board consisting of the following members to consider the cases of promotion from the post of Joint Auditor General of Cooperative Societies to the post of Additional Auditor General of Co-operative Societies namely:—

- (i) The APC -cum -Additional Chief Secretary to Government ... Chairman;
- (ii) The Secretary to Government ... Member;
- (iii) The Special or Additional Secretary to Government. (In-charge of Field Establishment) ... Member; and
- (iv)The Joint or Deputy Secretary to Government, (In-charge of Field Establishment) .. Convener

(3) The recommendations of the Board shall be valid and can be acted upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member, so absent was duly invited to attend the meeting of the Board and the majority of members of the Board have attended the meeting.

8. Procedure for selection by the Board. — (1) The Board shall meet at least once in a year preferably in the month of January to prepare a list of officers, as are held by them, suitable for promotion to the next higher grade taking into account the existing vacancies and the anticipated vacancies of the year.

(2) The Board, while considering the promotion cases of suitable officers and preparation of the lists shall follow the provisions of, —

- (a) the Odisha Reservation of Vacancies in posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under;
- (b) the Odisha Civil Services (Zone of Consideration for promotion) Rules, 1988;
- (c) the Odisha Civil Services (Criteria for Promotion) Rules, 1992; and
- (d) the Odisha Civil Services (Criteria for Selection for appointment including Promotion) Rules, 2003.

9. Consultation with Commission.— The recommendations of the Board under sub-rule (3) of rule 7 shall be referred to the Commission along with service particulars in respect of all persons included in the list for its concurrence including those whose cases have not been recommended for promotion.

10. Recommendation of Commission.— The Commission shall consider the lists referred to it in accordance with rule 9 and recommend to the Government the lists of persons for appointment to different posts in the Service by promotion

11. Select List.— (1) The lists recommended by the Commission under rule 10 shall be placed before the Government and approval of the Government thereon shall form the select list.

(2) The select lists shall ordinarily be in force for a period of one year or until fresh select lists are prepared whichever is earlier:

Provided that the Government may, at any time in consultation with Commission, for grave lapses in conduct or deterioration in standard of performance of duties on the part of any person included in the select list, remove the name of such persons from the list.

PART-IV

OTHER CONDITIONS OF SERVICE

12. Appointment to the Service.— (1) Appointment to the Service by direct recruitment shall be made in the order in which the names of the persons appear in the select list furnished by the Commission.

(2) Appointment to the Service by promotion shall be made in the order in which the names of the persons appear in the select list approved under rule 11.

13. *Inter se*-Seniority. — (1) The *inter se* - Seniority of the persons appointed to the Service in a particular year shall be in the order in which their names appear in the select list.

(2) The *inter se*- Seniority of the persons appointed to the post of Assistant Auditor General of Co-operative Societies, Level-II of the service in a particular year shall be in the order in which their names appear in the list prepared by the Commission.

(3) The persons appointed by promotion to the post of Assistant Auditor General of Co-operative Societies, Level- II of the Service shall en bloc be senior to those appointed by direct recruitment in that year.

14. Probation and confirmation. — (1) Every person appointed to any grade or post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining in the post:

Provided that the appointing authority may, if think fit in any case or class of cases for good and sufficient reasons to be recorded in writing, extend the period of probation for another year but not exceeding two years:

Provided further that such period of probation shall not include,

- (a) Extraordinary leave;
- (b) unauthorized absence; or
- (c) any other period held to be not being on actual duty.

(2) The appointment of a probationer may for good and sufficient reasons to be recorded in writing, be terminated by Government at any time without previous notice during the period of probation including extension of such period, if any, and after such termination, the employee shall deem to be reverted to his formecadre or post , if he is a promote.

(3) A probationer after completing the period of probation to the satisfaction of Government shall be eligible for confirmation subject to the availability of substantive vacancy in the service.

15. Training.— (1) Every person appointed to the post of Assistant Auditor General of Co-operative Societies, Level-II of the Service by way of direct recruitment shall have to successfully complete one year Induction Training during the period of probation at Madhusudan Das Regional Academy of Finance Management (MDRAFM).

(2) Every person appointed to the post of Assistant Auditor General of Co- operative Societies, Level-II of the Service by way of promotion shall have to successfully complete four months of the induction training during the period of probation.

16. Other Conditions of Service. — The conditions of service in regard to matters not covered by these rules shall be the same as are, or as may, from time to time be prescribed by the Government.

PART-V MISCELLANEOUS

17. Relaxation.— When it is considered by the Government that it is necessary or expedient so to do in the public interest, it may, by order, for reasons to be recorded in writing, relax any provision of these rules in respect of any class or category of the employees in consultation with the Commission.

18. Interpretation.— If any question arises relating to interpretation of these rules, the decision of the Government in Co-operation Department thereon shall be final.

By Order of the Governor
SANJEEV KUMAR CHADHA
Secretary to Government